

Filed for intro on 01/31/2002  
HOUSE BILL 3151 By  
Cole (Dyer)

SENATE BILL 3078  
By Norris

**AN ACT**, to amend Tennessee Code Annotated Title 55, Chapter 9, relative to use of safety belts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION ONE. This act may be cited as the "Tennessee Standard Safety Belt Use Act."

SECTION TWO. Tennessee Code Annotated, Title 38, Chapter 6, Section 603 is amended by deleting the present language in its entirety and by substituting instead the following:

(a) Definitions. As used in this section:

- (1) "Motor Vehicle" means any motor vehicle having a gross vehicle weight of 10,000 pounds or less that is required to be equipped with safety belts by Federal Motor Vehicle Standard No. 208, including passenger cars built after December 31, 1967 and light trucks and multi-purpose vehicles built after December 31, 1971.
- (2) "Operator" means a person who drives or is in actual physical control of a motor vehicle.

(3) "Safety belt" means any strap, webbing or similar devices designed to secure a person in a motor vehicle including all necessary buckles and other fasteners, and all hardware designed for installing such safety belt assemble in a motor vehicle.

(b) Application. Except as specifically provided below, this section shall apply to operators and all occupants of motor vehicles operated on the public streets, roads and highways of this state.

(c) (1) At all times that the vehicle is in motion, every operator of a motor vehicle that is being operated in this state shall be restrained by a safety belt that meets applicable motor vehicle standards.

(2) The operator of a motor vehicle in this state shall not put the vehicle in motion unless every occupant is restrained in a properly adjusted and fastened safety belt or, where applicable, a child restraint system as required by T.C.A. § 55-9-602.

(3) At all times that a motor vehicle is in motion, every occupant thereof shall be restrained by a safety belt that meets applicable motor vehicle standards or, where applicable, a child restraint system as required by T.C.A. § 55-9-602.

(d) Exceptions.

(1) The provisions of this section shall not apply to persons with a physically disabling condition that prevents appropriate restraint in safety belts, provided that such condition is certified in writing by a physician, who shall state the nature of the condition and why it prevents use of the proper restraint.

(2) The provisions of this section shall not apply to passenger cars built prior to December 31, 1967 that do not have seat belts installed or to light trucks and multi-use vehicles built prior to December 31, 1971 that do not have seat belts installed.

- (3) The provisions of this section shall not apply to motor vehicles that are not required to be equipped with safety belts by federal law.

(e) Penalties

- (1) A violation of this section is a Class C misdemeanor.
- (2) A person who violates the provisions of section (c)(1), (c)(2) or (c)(3) shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) plus court costs.
- (3) A person who violates the provisions of sections (c)(1) or (c)(2) shall be assessed two points for the purpose of driver license records.
- (4) A law enforcement officer observing a violation of this section shall issue a citation to the violator, but shall not arrest or take into custody any person solely for a violation of this section.

SECTION TWO. This act shall take effect upon becoming a law, the public welfare requiring it.